IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

Bail Appl..No. 7536 of 2007()

(CRIME NO.572 OF 2007 OF HARBOUR POLICE STATION)

PETITIONER/ACCUSED NO.5:

HAMZAKUTTY, AGED 65 YEARS,
S/O.MOOSA, CHAKKIYATTUPARAMBU, KOMBARA MUKKU,
MATTANCHERRY, KOCHI.

BY ADV. SRI.S.RAJEEV

RESPONDENT: STATE:

STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM (CRIME NO.572 OF 2007 OF HARBOUR
POLICE STATION).

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/12/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KSS

R. BASANT, J.

B.A. No. 7536 OF 2007

Dated this the 7th day of December, 2007

O R D E R

Application for regular bail. The petitioner is the 5th accused. He is the son of the 3rd accused. He faces allegations in a crime registered under Sections 457 and 380 IPC. This is the 2nd application for regular bail filed by the petitioner. He was arrested and continues in custody from 25.10.07. An earlier application for regular bail was dismissed as per order dated 16.11.07 in BA.6875/07. This order must be read in continuation of the said order and I am not, hence, adverting to the facts in any greater detail in this order.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that appropriate safeguards may be insisted to avoid recurrence of any such crime and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of three months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

iii) The petitioner shall not enter the jurisdiction of the Harbour Police Station, Cochin during the said period of three months without prior permission of the learned Magistrate except for the purpose of complying condition number (ii).

(R.BASANT, JUDGE)

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